IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 3377 of 2005

Between:

Mohammed Waheeduddin, S/o Late Mohammed Zahooruddin,
R/o 17-2-151, Yakutpura, Hyderabad.

..... PETITIONER

AND

1 The Commissioner of Police, Basheerbagh, Hyderabad.
2 The Sub Inspector of Police, Sultan Bazar Police Station,
Sri Giri , Sultan Bazar Police Station, Hyderabad.
3 The Sub Inspector of Police, Sultan Bazar, Sri Shareef,

Police Station Sultan Bazar, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to direct the Respondent No.2 and 3 to produce the detenue's 1) Shaik Tahir Ali S/o Shaik Ahamed Ali, aged 20 years and his friend Asad before this Hon'ble Court and set them

at liberty forthwith, and pleased to take action against R-2 and R-3 for their illegal activities to secure the ends of Justice.

Counsel for the Petitioner: MR.MOHAMMED ABDUL QADER

Counsel for the Respondents .: THE ADVOCATE GENERAL

The Court made the following :

O R D E R (Per BN,J)

In response to the allegations relating to illegal detention, a counter affidavit has been filed, stating that the accused is involved in Crime No.75/2005 registered for the offence under Section 379 I.P.C on 23.2.2005 and he was arrested on 23.2.2005 and produced before the Magistrate, who remanded him to judicial custody and that the accused is at present in Central Prison, Cherlapally, Hyderabad.

2 . The learned counsel for the petitioner however submits that directions given in D.K.BASU v . STATE OF WEST BENGAL, were not followed and rights of the detenue were violated.

3 . Since the detenue is at present in custody, on the orders of remand passed by learned Magistrate, we do not think, we can intervene in the matter. Hence, the writ petition is dismissed.

4 . However, if the petitioner has any grievance, he is free to agitate them before appropriate forum.

BILAL NAZKI,J

L.NARASIMHA REDDY,J

AVS

DATE:28.02.2005.

To

1 The Commissioner of Police, Basheerbagh, Hyderabad.
2 The Sub Inspector of Police, Sultan Bazar Police Station, Sri Giri , Sultan Bazar Police Station, Hyderabad.
3 The Sub Inspector of Police, Sultan Bazar, Sri Shareef,

Police Station Sultan Bazar, Hyderabad.

4. G.P. for Home for Advocate General, A.P.High Court

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